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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,022	12/26/2001	Michael Roberts	00216-368004	2417
26161 7590 09/30/2009 FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER				
SPSICH, MARK				
ART UNIT		PAPER NUMBER		
3727				
NOTIFICATION DATE		DELIVERY MODE		
09/30/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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10036022	12/26/2001	ROBERTS ET AL.	00216-368004

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**EXAMINER**

Mark Spisich

**ART UNIT      PAPER**

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20090925

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**Commissioner for Patents**

Receipt is acknowledged of a Supplemental Brief filed 27 August 2009. This was filed in response to a non-compliant notice mailed on 28 July 2009. The only objection was that the "status of claims" did not indicate claim 55 as being canceled. No changes to the Examiner's Answer mailed 23 March 2009 will be made in response to the Supplemental Brief. Therefore, the case is being forwarded to the Board of Appeals for a decision on the appeal.

/Mark Spisich/  
Primary Examiner, Art Unit 3727